IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.456 OF 1986

Nathu Keru Bhatre, Indian Citizen
Ordinarily residing at Village
Ambarle Wadacha Kond, Taluka
Mangaon, Dist. Raigad. ..Appellant.

V/s.

State of Maharashtra ..Respondent.

Mr.S.V.Gavand for appellant.

Mr.R.M.Gadhvi, A.P.P. for State.

AND
CRIMINAL APPEAL NO.740 OF 1986

State of Maharashtra ..Appellant.

V/s.

1. Mahadeo Dhondu Chavan

2. Ramu Maruti Pawar ..Respondent.

Both resident of Ambarle
Wadacha Kond, Tal.
Mangaon, Dist. Raigad.

Mr.R.M.Gadhavi, A.P.P. for State.

Mr.S.V.Gavand for respondents.

CORAM : D.G. DESHPANDE AND

SMT.N.N.MHATRE, JJ.

DATED : 13TH JUNE, 2007.

For the reasons recorded separately, following

order is passed.

1. For all the reasons stated above, the appeal filed by the accused No.12 is required to be dismissed and appeal of the State is required to be partly allowed in respect of accused No.14 only. Therefore, we pass the following order.

2. Appeal filed by accused No.12 Nathu Keru Bhatre being Criminal Appeal No.456 of 1986 is dismissed. He is on bail. He should surrender to the authorities for undergoing the sentence within 6 weeks from today.

3. Appeal No.740 of 1986 filed by the State is partly allowed. The acquittal of the accused No.14 Ramu Maruti Pawar is set aside. He is held guilty for the offence punishable under section 302 read with 34 of the I.P.C. along with accused No.12 and is sentenced to imprisonment for life. Accused No.14 to surrender within 8 weeks from today. If he fails to surrender, Trial Court to take action according to law.

4. Appeal No.740 of 1986 against accused No.1 Mahadeo Dhondu Chavan is dismissed.

(D.G.DESHPANDE,J.)

(SMT.N.N.MHATRE, J.)